



**King County**

**Ron Sims**  
King County Executive

## **CHARTER REVIEW COMMISSION**

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**King County Charter Review Commission**  
**Governmental Structure Subcommittee**  
**Briefing Paper – Partisanship**  
**Subcommittee Meeting #2 – Tuesday, November 13, 2007**  
**NCOB, 5:00pm-8:00pm**

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In U.S. politics, a nonpartisan election is one in which the candidates' political affiliations do not appear on the ballot, whereas a partisan election is one in which the converse is true.

In some nonpartisan elections, it is common knowledge that candidates are members of and backed by major political parties; in others, political parties are almost wholly uninvolved and voters make choices with little or no regard to partisan considerations.

According to the 1996-97 CRC minority opinion, proponents of partisanship identify the following reasons<sup>1</sup>:

- The two-party system works because it permits a duly elected majority party the reins to govern while faced with an organized and motivated minority party ready to check any unseemly attempts to centralize or usurp the public's authority;
- There is an erroneous belief that nonpartisan elections will remove money, patronage, selfish self-interest, crassness or meanness from the system;

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<sup>1</sup> Minority report on the recommendation for partisan/nonpartisan elections, CRC, June 12, 1997 (Final Report and Recommendations of the Charter Review Commission Appendix A, June 1997).

- Respondents are better able to identify a candidate's position on issues by whether she or he is Democrat or Republican
- Nonpartisan candidates would not be subject to a complete and vigorous vetting by a political party; and
- Political parties are the basis for developing information to be used for electoral discussion.
- In most nonpartisan elections, most candidates identify with one party or another, so these elections create a false impression.

Currently, for King County elective offices that are partisan, the winning candidate from each political party earns a place on the general election ballot. In a nonpartisan election, the top two candidates in the primary election—without reference to any political party affiliation—advance to the general election ballot, unless one of the candidates receives a simple majority of the votes cast in the primary election, in which case only that person advances to the general election

### **Historical Background**<sup>2</sup>

In the 1960s, King County government experienced a series of scandals involving the assessor's office, the prosecutor's office, and a project to remodel the King County Courthouse. In response to these scandals, the League of Women Voters of King County and the Municipal League of King County conducted a review of King County government. Based on this review, the freeholders chose to consider the following:

- whether the assessor's position should be elected—**they decided it should be elected;**
- whether elected offices should be partisan or nonpartisan—**they decided elected offices should be partisan;** and
- whether the clerk of the court functions should be under the administration of the Superior Court or the Executive—**they placed these functions under the Executive.**

The freeholders' charter proposal was placed on the November 1968 ballot and was approved by the voters. This charter provision has been in effect since May 1, 1969 as Section 610 Election Procedures:

Except as provided in this Article, the nominating primaries and elections shall be conducted in accordance with general law governing the election of partisan county officers.

County elective offices were originally established on a partisan basis under the state Constitution and by statute. Since 1990, however, state law has allowed certain offices to be nonpartisan. According to a 2002 historical account of the King County Charter, the decision to make King County offices partisan was politically motivated, although the Leagues of Women Voters, the Municipal League and others sought to change County elected offices from partisan

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<sup>2</sup> Final Report and Recommendations, June 1997, 1996-97 King County Charter Review Commission

to non-partisan. In the end, this initiative was not pursued partly because of the difficulty of trying to get such a measure past the partisan County Council<sup>3</sup>.

During the 1976-77 Charter Review process, the King County Council sent a motion to the CRC proposing four charter amendments, one of which was establishing as nonpartisan County elective positions. The County Council placed on the September 1977 ballot three charter amendments, but the issue of nonpartisan County elective positions was not among them<sup>4</sup>.

The 1987 Charter Review Commission recommended that nonpartisan offices be considered during deliberation on the King County/Metro merger proposal. Again, the League of Women Voters of King County advocated that voters be allowed to consider the question of whether various King County elected offices should be partisan or nonpartisan. As a result of the 1990 Summit I process, which came out of a District Court decision that Metro's governance structure was unconstitutional, a package of charter changes was proposed, including one that would change county offices, with the exception of the Prosecutors' office, to non-partisan elected positions.<sup>5</sup>

The question was not raised again until then King County Executive Gary Locke asked the 1996-1997 Charter Review Commission to examine the partisanship question as part of its menu of issues. Among the amendments put forth by the 1996-97 Charter Review process were overarching charter amendments affecting King County government's external relationships with the general public and the cities and its role as a regional government. These included an amendment to allow the voters to reconsider whether the County's elective offices (King County Executive, the County Council, and the Assessor) should be elected on a partisan or nonpartisan basis:

The question of whether the County Executive, Council, and Assessor should be partisan or nonpartisan offices has been debated for years without giving the public a chance to vote on it. It was part of the original recommendation from the King County/Metro merger.

The County Council did not include the partisan issue in the merger ballot measures. The 1996-97 CRC recommended that Section 610 Elections be stricken and replaced with the following language:

The offices of county council, county executive, county assessor and county sheriff shall be nonpartisan and the candidates therefore shall be nominated and elected as such according to the provisions of general law.<sup>6</sup>

In short, the 1996-97 CRC recommended that the electorate be allowed to reconsider this question. In addition, it recommended striking Section 620: Independent Candidates, which would no longer be applicable if previously partisan elected offices were made nonpartisan (p. 13 and 14).

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<sup>3</sup> King County Charter: A Brief History, November 23, 2002. <http://www.metrokc.gov/exec/cjcharter/chhist.htm> (11/6/2007, p. 10 of 19).

<sup>4</sup> Ibid., p. 8 of 19.

<sup>5</sup> Ibid., p. 9 of 19.

<sup>6</sup> Final Report and Recommendations, June 1997, 1996-97 King County Charter Review Commission, Appendix B.

## Current Opinions

Partisanship was discussed during many of the CRC's public hearings. The commission received eleven different comments on partisanship from a many people representing a variety of organizations. These included:

- The Mayor of Auburn's office (Peter B. Lewis)
- League of Women Voters
- Municipal League
- El Centro de la Raza
- Washington Public Campaigns
- King County Democrats
- King County Executive
- King County Councilmember Larry Phillips
- And thirteen citizens speaking on their own behalves

The following provides a summary of public positions on partisanship versus nonpartisanship:

| ORGANIZATION/INDIVIDUAL                                 | PARTISANSHIP  |
|---|---|
| King County Executive Ron Sims                          | Supports maintaining partisan offices as partisan (County Council, Executive, Assessor, and prosecutor)           |
| Larry Phillips, King County Councilmember               | Favors partisan elections: Public demands transparency in government, and party affiliation provides transparency |
| Peter Lewis, Mayor, Auburn                              | Supports non-partisan King County Offices   |
| Doug Schulze, former City Manager, Medina               | Favors nonpartisan elections  |
| Robert Ransom, Mayor, Shoreline                         | The council should remain partisan  |
| Lori Sotelo   | Favors partisan county elections: Forces voters to focus on the candidate rather than the party                   |
| Susan Sheary, King County Democrats                     | Opposes nonpartisanship and the placement of the nonpartisan charter amendment on the ballot                      |
| Municipal League of King County                         | Supports placing partisan issue onto the ballot for voters to decide  |
| Miriam Helgeland, League of Women Voters of King County | Supports placing partisan issue onto the ballot for voters to decide  |

|  |  |
|--|--|
| El Centro de la Raza   | Supports having the County Council remain partisan   |
| Washington Public Campaigns                                  | Supports having the County Council remain partisan   |
| Julian Kempf, former King County Superintendent of Elections | Favors partisan elections: Voters want more information about candidates and party identification provides information |
| Steven Kendall   | Favors requiring all offices of King County to be nonpartisan  |
| Antony-Kyre  | Favors nonpartisan elections   |

### **Reports and Recommendations from Civic Organizations and Others**

Over the course of many years, civic organizations have contributed to the public's debate on this issue. In the following statement, the Municipal League of Seattle recommended that the current King County Charter Review Commission address the issue:

The Municipal League believes that this important issue should be placed on the ballot so King County citizens may finally choose whether they want their county government to be partisan or nonpartisan. Placing the partisanship issue on the ballot was a key part of the Summit Agreement in 1992, which resulted in the merger of King County and Metro. After agreeing to this provision, the County Council changed its position and the partisanship issue was never put on the ballot. The Municipal League has historically supported nonpartisanship for King County government.

Historic Municipal League Positions  
Suggestions for issues to be studied by  
King County Charter Review Commission<sup>7</sup>

In 1996, the Leagues of Women Voters provided an extensive list of reasons for and against a change to nonpartisan county elections<sup>8</sup> which can be viewed on the following page.

<sup>7</sup> <http://www.munileague.org/issues/2007/KCCharterReview.htm>

<sup>8</sup> *King County Governance . . . Under the 1993 Charter*, December 1996

## THE PARTISANSHIP ISSUE

### **Those who favor nonpartisan county elections believe:**

1. It would complete the original negotiated regional governance package.
2. It would reduce the current council's partisan bloc voting and control of the council causes, particularly on regional issues. [Note: Councilmember Larry Phillips reported to the CRC that, based on his review of almost 5,000 Council votes during the past nine and a half years, all but six percent of the votes were unanimous and only 0.5 percent of the votes were split along party lines.]
3. It could change the roles/actions of the council members. Currently, the minority party members are left out of many activities such as deciding the council organization, budget, and legislative priorities or staff selection.
4. It could reduce polarization which hinders substantive deliberative debate over the merits of controversial regional issues.
5. In districts comprised of supporters predominately of one party, both finalists in a general election could be from the predominant party instead of having an unopposed candidate or token opponent from the minority party.
6. It would reduce the friction nonpartisan city officials face when negotiating with highly partisan elected officials
7. It would improve the working relationships among members of regional decision-making bodies such as the RTA and the PSRC, many of whose members are elected officials from nonpartisan councils.
8. Political parties do not have much interest in the day to day operations of the council; they focus primarily on elections and redistricting.

9. Relations between the executive and the council might be smoother if partisanship were not a factor.

### **Those who support partisan county elections believe:**

1. In order to elect a candidate who is truly representative of the voter's point of view, it is necessary to understand the candidate's political philosophy. A party label assists in that process.
2. Parties serve a useful function. They find candidates and train them in campaign techniques and financial disclosure requirements, and they provide grass roots support, financial aid and campaign workers.
3. Candidates for nonpartisan offices are free to accept party support without voters knowing their political affiliation, unless the voters search Public Disclosure Commission files.
4. Candidates who are reluctant to affiliate with a party are free under the present charter to run under the "Independent" label.
5. In nonpartisan elections the political persuasion of each candidate would not be obvious to the voter from the ballot itself.
6. Complaints about partisan divisiveness are fairly recent, yet the King County Council has always been elected by party label. It is the individual personality of the elected official that determines how well or poorly office holders work together, not a party designation, or lack thereof, on the ballot.
7. Partisanship provides a traditional, understandable basis for organizing the council, in which the major party selects the chair and fills other leadership positions.

Source: *King County Governance. . . Under the 1993 Charter (Amendments)*, The Leagues of Women Voters of King County, December 1996.

It should be noted that Council staff have commented that several of the points listed above seem to be based on inaccurate factual premises. For example, point 3 in favor of nonpartisan county elections seems at odds with the following::

- The most recent Council organizational motion, budget ordinance, and statement of legislative priorities were adopted unanimously by the Council;
- Council personal staff are selected by each councilmember;
- Council central staff are chosen by the Council employment committee, which has two members from each party and has been chaired recently by a Republican councilmember, even though the Council has a Democratic majority; and
- This year every councilmember, Republican as well as Democrat, chairs one council standing committee.

In considering the positions set forth, the CRC may want to begin its deliberations by determining whether the LWV's positions continue to be relevant today. The report by the Leagues of Women Voters cited a 1996 poll that found that when 400 registered King County voters were sampled, 35 percent favored keeping county offices partisan, 47 percent favored making the offices nonpartisan, and 18 percent were undecided. At the April 27, 2007 CRC hearing, the League spokesperson stated that voters should be given the opportunity to vote on whether county elective offices should be partisan or nonpartisan.

LWV's list is not entirely comprehensive, since it does not include the following additional arguments that have been raised:

| Arguments for Nonpartisan Elections   | Arguments for Partisan Elections  |
|---|---|
| <ol style="list-style-type: none"> <li>1. Political parties wield too much power.</li> <li>2. Partisan elections more often involve negative campaigning than nonpartisan elections.</li> <li>3. Nonpartisan elections encourage voters to focus on campaign issues rather than party affiliation.</li> </ol> | <ol style="list-style-type: none"> <li>1. Political parties perform an analytical function for voters, investigating candidates' backgrounds and positions and providing assessments.</li> <li>2. Whether elections involve negative campaigning is a function of the issues that are at stake and the strategies adopted by the candidates, not a function of partisanship per se.</li> <li>3. Nonpartisan elections elevate the importance of name recognition, which tends to favor incumbents, celebrities, and persons with the financial means to market themselves.</li> </ol> |

### **Analysis from a National and State Perspective**

An analysis of partisanship elections nationwide revealed that nine of the largest 25 counties held non-partisan elections for their legislative representatives. This translates into 36 percent of the 25 largest counties in the country running partisan elections for their council, commission, and/or boards of supervisors.

**PARTISAN VS NONPARTISAN ELECTIONS**  
**STATUS OF THE MOST POPULACE COUNTIES IN THE UNITED STATES<sup>9</sup>**

| U.S. COUNTIES HAVING<br>POPULATIONS OF 1.2<br>MILLION OR GREATER | <b>N=25</b> | <b>PERCENT</b> |
|--|-------------|----------------|
| Partisan   | 16          | 64%            |
| Non-Partisan   | 9           | 36%            |

From a statewide perspective, only two of the twelve most populated counties had commissioners that were non-partisan; these were Whatcom and San Juan counties. This translates to more than 80% of Washington State counties having partisan elected officials.

**PARTISAN VS NONPARTISAN ELECTIONS**  
**STATUS OF THE MOST POPULOUS COUNTIES IN THE WASHINGTON STATE<sup>10</sup>**

| WASHINGTON<br>COUNTIES HAVING<br>POPULATIONS OF<br>200,000 OR GREATER | <b>N=12</b> | <b>PERCENT</b> |
|---|-------------|----------------|
| Partisan  | 10          | 83%            |
| Non-Partisan  | 2           | 17%            |

**V - Conclusion**

During the 1996/1997 Charter Review Commission, polling of public input indicated that voters are about evenly split on the matter of partisanship and nonpartisanship for King County elected officials. Indeed, members of the 1996/1997 Charter Review Commission were divided on the issue of partisan and nonpartisan elections. They agreed, however, that King County citizens deserve the right to vote again on the question of partisanship of county offices. In the myriad debates—both old and new—on the issue of partisan versus nonpartisan elections, the issue before the CRC is not only whether partisans elections are better than nonpartisan elections, but also whether the citizens of King County should have the right to vote on the issue again.

Respectfully submitted by Mark Yango and Becky Spithill

<sup>9</sup> See appendix for list of counties and population size, square miles

<sup>10</sup> See appendix for list of Counties and population size, square miles



## Appendix

| <b>JURISDICTION - National</b>  | <b>POPULATION</b> | <b>SQ. MILES</b> | <b>PARTISAN</b> |
|---------------------------------|-------------------|------------------|-----------------|
| <b>Los Angeles County, CA</b>   | 9,937,739         | 4,061            | No              |
| <b>New York City, NY</b>        | 8,143,197         | 309              | Yes             |
| <b>Cook County, IL</b>          | 5,327,777         | 946              | Yes             |
| <b>Harris County, TX</b>        | 3,644,285         | 1,729            | Yes             |
| <b>Maricopa County, AZ</b>      | 3,501,001         | 9,204            | Yes             |
| <b>Orange County, CA</b>        | 2,987,591         | 790              | No              |
| <b>San Diego County, CA</b>     | 2,987,591         | 4,204            | No              |
| <b>Miami-Dade County, FL</b>    | 2,363,600         | 1,945            | No              |
| <b>Dallas County, TX</b>        | 2,294,706         | 880              | Yes             |
| <b>Wayne County, MI</b>         | 2,016,202         | 614              | Yes             |
| <b>San Bernadino County, CA</b> | 1,921,131         | 20,062           | No              |
| <b>Riverside County, CA</b>     | 1,871,950         | 7,208            | No              |
| <b>King County, WA</b>          | 1,808,300         | 2,126            | Yes             |
| <b>Broward County, FL</b>       | 1,754,893         | 1,209            | Yes             |
| <b>Santa Clara County, CA</b>   | 1,685,188         | 1,291            | Yes             |
| <b>Clark County, NV</b>         | 1,650,671         | 7,911            | Yes             |
| <b>Tarrant County, TX</b>       | 1,588,088         | 864              | Yes             |
| <b>Bexar County, TX</b>         | 1,493,965         | 1,247            | Yes             |
| <b>Suffolk County, NY</b>       | 1,475,488         | 911              | Yes             |
| <b>Philadelphia County, PA</b>  | 1,470,151         | 135              | Yes             |
| <b>Alameda County, CA</b>       | 1,455,235         | 738              | No              |
| <b>Sacramento County, CA</b>    | 1,352,445         | 966              | No              |
| <b>Cuyahoga County, OH</b>      | 1,351,009         | 458              | Yes             |
| <b>Nassau County, NY</b>        | 1,339,641         | 287              | Yes             |
| <b>Allegheny County, PA</b>     | 1,250,867         | 730              | Yes             |

| <b>JURISDICTION – WA</b>     | <b>POPULATION</b> | <b>SQ. MILES</b> | <b>PARTISAN</b> |
|------------------------------|-------------------|------------------|-----------------|
| <b>King County – HR</b>      | 1,808,300         | 2,134            | Yes             |
| <b>Pierce County - HR</b>    | 755,900           | 1,790            | Yes             |
| <b>Snohomish County - HR</b> | 655,800           | 2,090            | Yes             |
| <b>Spokane County</b>        | 436,300           | 1,756            | Yes             |
| <b>Clark County</b>          | 391,500           | 657              | Yes             |
| <b>Kitsap County</b>         | 240,400           | 393              | Yes             |
| <b>Thurston County</b>       | 224,100           | 727              | Yes             |
| <b>Yakima County</b>         | 222,581           | 4,296            | Yes             |
| <b>Whatcom County - HR</b>   | 180,800           | 2,151            | No              |
| <b>Skagit County</b>         | 110,900           | 1,735            | Yes             |
| <b>Clallam County - HR</b>   | 66,800            | 1,739            | Yes             |
| <b>San Juan County - HR</b>  | 15,500            | 175              | No              |